

1 JUDGE JAMES L. ROBART  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 UNITED STATES OF AMERICA, ) No. CR16-132-JLR  
11 Plaintiff, )  
12 v. ) (PROPOSED) ORDER GRANTING  
13 JOE RAY ORTIZ, ) UNOPPOSED MOTION TO  
14 Defendant. ) CONTINUE TRIAL  
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THE COURT has considered the unopposed motion to continue the trial date in this case and finds that:

(a) taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

(b) a failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

(c) the additional time requested is a reasonable period of delay, as the defendant has requested more time to prepare for trial, to investigate the matter, to gather evidence material to the defense, and to consider possible defenses; and

1 (d) the ends of justice will best be served by a continuance, and the ends of  
2 justice outweigh the best interests of the public and the defendant in any speedier trial,  
3 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

4 (e) the additional time requested between the current trial date of August 8,  
5 2016, and the new trial date is necessary to provide counsel for the defendant the  
6 reasonable time necessary to prepare for trial, considering counsel's schedule and all of  
7 the facts set forth above.

8 (f) that the period of delay from the date of this order to the new trial date is  
9 excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

10 IT IS THEREFORE ORDERED that the trial date in this matter shall be  
11 continued to October 17, 2016, and that pretrial motions shall be filed no later than  
12 15 September 2016

13 DONE this 30<sup>th</sup> day of June, 2016.

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15 JAMES L. ROBART  
16 UNITED STATES DISTRICT JUDGE

17 Presented by:

18 *s/ Greg Geist*  
19 Assistant Federal Public Defender  
20 Attorney for Joe Ortiz